

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-185-W - ORDER NO. 2009-391

JUNE 18, 2009

IN RE: Nicole Witham, Complainant/Petitioner)	ORDER APPOINTING
)	HEARING OFFICER
v)	
)	
Mr. and Mrs. Howard Burton,)	
Defendant/Respondent)	

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Commission's Motion to appoint B. Randall Dong, Esquire, to serve as a hearing officer in the present docket regarding the complaint of Nicole Witham filed against Mr. and Mrs. Howard Burton. This appointment is in order that the hearing officer may dispose of procedural and evidentiary matters pursuant to S.C. Code Ann. Section 58-3-40 (Supp. 2008).

Section 58-3-40(C)(1) states that upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings. Under (C)(2), the hearing officer has full authority, subject to being overruled by the Commission, to rule on questions concerning the conduct of the case and other matters. Under (C)(3), the officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience.

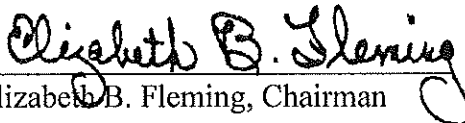
We find that B. Randall Dong meets these qualifications, and we therefore grant the Motion appointing him as hearing officer in this case. As hearing officer in this proceeding, we direct Mr. Dong to rule on appropriate matters in the case and dispose of procedural and evidentiary matters for this proceeding.

IT IS THEREFORE ORDERED THAT:


1. B. Randall Dong, Esquire, is hereby appointed as hearing officer in Docket No. 2009-185-W, regarding the complaint of Nicole Witham against Mr. and Mrs. Howard Burton, for disposition of procedural and evidentiary matters for this proceeding.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)